

REMARKS

Claims 1-4 were pending in this application and have been rejected in the Office Action.

To summarize the claim changes made in this amendment, claims 1, 3 and 4 have been amended and new claims 5-20 have been added. No new matter is considered to be presented by these amendments and new claims in view of the support contained in the originally filed application, including the original disclosure and Figures. The specification has been amended to describe features non-ambiguously conveyed in the original figures and to conform with the present claim language. No new matter is considered to have been introduced in view of the original support of the application and the current claims are respectfully submitted to be in full conformance with 35 U.S.C. § 112, first and second paragraphs.

Claim Rejections under 35 U.S.C. §112

Claim 1 was rejected under 35 U.S.C. §112, second paragraph, as being considered indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claim 1, the Examiner set forth that it was unclear as to what was being "gradually away."

In this amendment, claim 1 has been amended and its current subject matter is respectfully submitted to be in conformance with 35 U.S.C. §112, first and second paragraph in similar fashion to the new claims. New claims 6 and 8 currently use the term "gradually". However, in the context of the present application dealing with fluid flow direction, it is respectfully submitted that the term is (i) readily understood by those of skill in the art and ii) as definite as the subject matter permits. Accordingly,

applicant respectfully requests withdrawal of the 35 USC § 112 rejection.

Claim Rejections under 35 U.S.C. §102

Claims 1-4 were rejected under 35 U.S.C. §102(b) as being unpatentable over Kawashima (USP 4,6631,977).

Applicants respectfully submit that cited document fails to disclose the subject matter of the claims, especially the shroud wall and the scroll surface of the present invention; features of independent claim 1.

In a preferred embodiment of the present invention, the scroll surface is formed on the shroud wall and the inner surface of the case about the circumference of the pulley which has the fan blade, so as to increase the clearance in the radial direction of the pulley between the outermost end of the fan blade and the scroll surface with the rotational direction of the fan blade. As the result, the potential for a back pressure disturbing the flow of the cooling air can be suppressed.

The Examiner relies on the description of the transmission casing 5, especially the inner surface of the casing 5 of Kawashima as a disclosure of the scroll surface of the present invention. Applicants respectfully submit that the referenced part in Kawashima does not present the shroud wall and the scroll surface in independent claim 1.

For example, the indicated casing 5 shown in Kawashima has a regular casing configuration and does not disclose or suggest the scroll surface of the claimed invention formed on the shroud wall and the inner surface of the case.


Accordingly, Applicant respectfully submits that independent claim 1 and its dependant claims are patentably distinguishable over Kawashima.

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In view of the above remarks, Applicants submit that all rejections raised in the Office Action are overcome such that the application is in condition for allowance. Applicant looks forward to confirmation of the same at the Examiner's earliest convenience. Also, if any fees are due in connection with the filing of this amendment, such as fees under 37 C.F.R. §§1.16 or 1.17, please charge the fees to Deposit Account 02-4300; Order No. 032405R172.

Respectfully submitted,

SMITH, GAMBRELL & RUSSELL,
LLP



Dennis C. Rodgers, Reg. No. 32,936
1850 M Street, NW – Suite 800
Washington, DC 20036
Telephone : 202/263-4300
Facsimile : 202/263-4329

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